GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Sri P. Raja Babu, Joint Director of Mines & Geology (under suspension), O/o Director of Mines & Geology, Ibrahimpatnam – Departmental action Under Rule 20 of Andhra Pradesh Civil Services (Classification Control andAppeal) Rules 1991 – Article of Charges – Orders – Issued.

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INDUSTRIES & COMMERCE (VIGILANCE) DEPARTMENT

G.O.RT.No. 12 Dated: 20-01-2021.

Read:

Ref:- 1) G.O.Rt. No. 169, Ind. & Com (Vigilance) Dept.dt: 21.08.2020.

2) From Director of Mines & Geologyletter No. 18394/E1/1999, Dt:26.11.2020

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ORDER:-

It is proposed to hold an enquiry against Sri P. Raja Babu, the then Deputy Director M&G, Kurnool, presently working as Joint Director of Mines &Geology (under suspension), O/o Director of Mines & Geology, Ibrahimpatnam in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of charges (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the article of charges are proposed to be sustained are also enclosed.

3. Sri P. Raja Babu, the then DDM&G, Kurnool, presently working as Joint Director of Mines & Geology (under suspension), O/o Director of Mines &Geology, Ibrahimpatnam is directed to submit his written statement of defense within ten days of the receipt of this order and also state whether he desires to be heard in person.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P. Raja Babu, the then DDM&G, Kurnool, presently working as Joint Director of Mines & Geology (under suspension), O/o Director of Mines & Geology, Ibrahimpatnam is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control, and Appeal) Rules, 1991 or orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri P. Raja Babu, the then DDM&G, Kurnool, presently working as Joint Director of Mines & Geology (under suspension), O/o Director of Mines & Geology, Ibrahimpatnam is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI

PRINICIPAL SECRETARY TO GOVERNMENT

To
Sri P. Raja Babu, the then DDM&G, Kurnool, presently working as Joint Director of Mines & Geology (under suspension), O/o Director of Mines & Geology, Ibrahimpatnam,(w.e, Annexures-I to IV) through the Director of Mines And Geology Department, Vijayawada (with a request to serve the order on the individual and send the served copy with dated signature to Government)
The Director of Mines & Geology, B Block (Vth and VIth Floors), AnjaneyaTowers, Ibrahimpatnam, Vijayawada, Krishna District.
Copy to
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.
Sf/Sc

//FORWARDED :: BY ORDER//

SECTION OFFICER

**ANNEXURE-I**
**ARTICLE OF CHARGES FRAMED AGAINST SRI P.RAJA BABU, JDM&G, O/o DM&G, IBRAHIMPATNAM**

**Charge-I**

Sri P.Raja Babu, the then DDM&G, Kurnool has facilitated to the lease holder M/s VEEJEE Mines and Minerals to defuse the case for collection of Demand notice amount of Rs.39,18,81,975/- (Thirty Nine Crores Eighteen Lakhs Eighty One thousand Nine Hundred Seventy Five), for the quarry lease to the Quartz in Sy.No. 557 of Hathibelgal Village, Aluru Mandal, Kurnool District an extent of 22.348 Hectares.

**Charge-II**

Sri P.Raja Babu, the then DDM&G, Kurnool has facilitated to the lease holder Sri K.Maheswara Reddy to defuse the case for collection of Demand notice amount of Rs.8,76,00,700 /- (Eight Crores Seventy Six Lakhs Seven Hundred) for the quarry lease to the Quartz in Sy.No.560 of Ch.Yerragudi Village, Krishnagiri Mandal, Kurnool District to an extent of 4.500 Hectares.

**Charge-III**

Sri P.Raja Babu, the then DDM&G, Kurnool has facilitated to the lease holder Sri P.V.Ramana Reddy to defuse the case for collection of Demand notice for an amount of Rs.14,73,53,000 /- (Fourteen Crores Seventy Three Lakhs Fifty Three Thousand), for the quarry lease to the Quartz in Sy.No.236 of Chellicheliala Village, Devarakonda Mandal, Kurnool District to an extent of 11.660 Hectares. Thus, Sri P.Raja Babu, JDM&G by his above mentioned acts failed to take all possible steps to ensure the integrity and devotion for duty, has facilitated to the above lease holders to defuse the collection of demand issued amounts to wrongful gain/favour from the lessees with mala-fide intention to get favour from the lease holders with ulterior motive and thereby contravened Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINICIPAL SECRETARY TO GOVERNMENT

**ANNEXURE-II**

**STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI P.RAJA BABU, JDM&G, O/o DM&G, IBRAHIMPATNAM**

The ADM&G, Gooty along with his staff has inspected the quarry lease held by M/s. Veejee Mines and Minerals for Quartz for an extent of 22.348 Hectares in Sy. No. 557 of Hathi Belagal Village, Aluru Mandal, Kurnool District on 10.01.2017. As per the pit measurements the quantity of quartz excavated is 1,99,441 ( one lakh ninety nine thousand four hundred and forty one only) M. Tons. As per records of the ADM&G, Kurnool the lessee company has taken dispatch permits 7,04,450 (seven lakhs four thousand four hundred and fifty only) M. Tons. The lessee has drawn excess permits for a quantity of 5,05,009 (five lakhs five thousand nine only) M. Tons. The lessee has collected quartz float from the adjoining fields and dispatched with the above permits. The Asst. Director of Mines & Geology (Vig), Gooty issued show cause notice and finally issued demand notice for payment of Rs.39,18,81,975/- (Rupees thirty nine crores eighteen lakhs eighty one thousand nine hundred and seventy five rupees only) towards normal seig. fee, cost of the mineral along with fine of Rs.5.00 lakhs for misused permits over a quantity of 5,05,009 M. Tons of Quartz.

Similarly on the same day ADM&G, Gooty along with his staff has inspected the quarry lease held by Sri K. Maheswara Reddy for Quartz for an extent of 4.500 Ha in Sy. No.560 of Ch. Yerragudi Village, Krishnagiri Mandal, Kurnool District. As per the pit measurements the quantity of quartz excavated is 12,790 M. Tons. As per records of the ADM&G, Kurnool the lessee company has taken dispatch permits 1,25,178 M. Tons. The lessee has drawn excess permits for a quantity of 1,12,388 M. Tons. The lessee has collected quartz float from the adjoining fields and dispatched with the above permits. The ADM&G(Vig), Gooty issued show cause notice and finally issued demand notice for payment of Rs.8,76,00,700/- (Rupees eight crores seventy six lakhs and seven hundred rupees only) towards normal seig. fee, cost of the mineral along with fine of Rs.5.00 lakhs for misused permits a quantity of 1,12,388 M. Tons of Quartz.

Similarly on the same day ADM&G, Gooty along with his staff has inspected the quarry lease held by Sri P.V. Ramana Reddy for Quartz over an extent of 11.660 Ha in Sy. No.236 Chelli Cheliala Village, Devarakonda Mandal, Kurnool District. As per the pit measurements the quantity of quartz excavated is 85,441.5 M. Tons. As per records of the ADM&G, Kurnool the lessee company has taken dispatch permits 1,90,337 M. Tons. The lessee has drawn excess permits for a quantity of 1,04,895 M. Tons. The lessee has collected quartz float from the adjoining fields and dispatched with the above permits. The ADM&G(Vig), Gooty issued show cause notice and finally issued demand notice for payment of Rs. 14,73,53,000/- ( Rupees fourteen crores seventy three lakhs and fifty three thousand only) towards double the market value of the mineral as penalty of the mineral along with fine of Rs. 5.00 lakhs for misused permits a quantity of 1,04,895 M. Tons of Quartz.

The three lease holders have filed an appeal before the DM&G, Ibrahimpatnam. The DM&G, Ibrahimpatnam has issued orders disposing the appeals filed by the said lease holders, directing the ADM&G(Vig), Gooty to consider the request of the appellants and re-verify duly conducting inspection afresh.

Accordingly, the then ADM&G(Vig), Gooty has inspected one quarry lease area of M/s. Vee Jee Mines & Minerals and the then ADM&G, Kurnool had inspected two quarry lease areas of (i) Sri K. Maheswara Reddy and (ii) Sri P. V. Ramana Reddy. The ADM&G's reported as follows:

(i) The then ADM&G(Vig), Gooty opined that the lessee extracted 7,04,450 (seven lakhs four thousand four hundred and fifty only)MT of Quartz from the mine i.e., 4,94,512 MT of float ore and 2,09,938 MT of Quartz reef and taken dispatch permits for 7,04,450 MT of Quartz and considered and the lease holder

misused the permit for dispatch of illegal procure of quartz of 5,05,009 MT may not be established and further action on the show cause notice No. 92/Vg-Gooty/Quartz/2017-3, dated: 05.08.2017 issued to M/s. Vee Jee Mines and Minerals was dropped basing on the field evidence and on the record of approved mining scheme dated:24.01.2013.

(ii) The then ADM&G, Kurnool opined that as per the field inspection dt.27.03.2019, as per the Approved Mining Plans and Google Earth images, no substantial evidence was found, to establish that the lease holder Sri K. Maheswara Reddy has misused the dispatch permits quantity of 1,12,388 M. Tons obtained in respect of mining lease for Quartz by Sri K. Maheswara Reddy.

(iii) The then ADM&G, Kurnool opined that as per the field inspection dt.17.04.2019, as per the Approved Mining Plans and Google Earth images, no substantial evidence is found to establish that the lease holder Sri P.V. Ramana Reddy has misused the dispatch permits quantity of 1,04,895.5 M. Tons.

Sri P. Raja Babu, the then DDM&G, Kurnool vide his letter Dt:01.06.2019, categorically accepted the reports of the then ADM&G (Vig), Gooty and the then ADM&G, Kurnool without going into the details of the facts of the case which, resulted in non-collection of Demanded amounts in respect of three leases.

Further, the DM&G vide memo No. 3000370/R4-2/2019, dated: 30.10.2019 has instructed the DDM&G, Kurnool and Asst. Geologist O/o. ADM&G, Vijayanagaram to re-survey and re-inspect the three quarry leased areas in presence of the lessee/representative of the lease holders.

Accordingly, the team of Officials have inspected the three leases on 22.12.2019, 23.12.2019 and 07.02.2020 in the presence of the representative of the lessee Companies and arrived the evaded quantities for Quartz as follows:

| Sl. No | Name of the lessee | Evaded Quantity (MT) | Total amount with penalty (in Rs) |
|---|---|---|---|
| 1 | M/s Vee Jee Mines & Minerals | 5,05,009 | 72,31,22,600/- |
| 2 | Sri K. Maheswara Reddy | 1,12,388 | 16,26,70,700/- |
| 3 | Sri P. V. Ramana Reddy | 1,04,895 | 15,87,14,780/- |
| | Total | 7,22,292 | 104,45,08,080/- (One Hundred and four crores forty five lakhs eight thousand and eighty) |

As per the report submitted by the team of officials, it is construed that Sri P. Raja Babu, Joint Director, O/o. DM&G, Ibrahimpatnam along with the then two Asst. Directors Sir Sankara Narayana (expired), and Sri Y. Venkata Reddy, (Retired from the service) has facilitated to lease holders to defuse the case for collection of demanded amount from the three lease holders to wrongful gains/favour from the lessee with male-fide intention to get favour from the lessee with ulterior motive.

GOPAL KRISHNA DWIVEDI
PRINICIPAL SECRETARY TO GOVERNMENT

**ANNEXURE-III**

**List of Documents in support of Article of Charges:-**

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|---|---|
| 1. | ADM&G, Kurnool Demand Notice No. 5513/M4/2000, |
| 2 | ADM&G, Kurnool Demand Notice No. 92/Vg-Gooty/Quartz/2017, dt:11.09.2017. |
| 3 | ADM&G, Kurnool Demand Notice No. 2223/M4/2007, |
| 4 | Appeal orders of DM&G Pro. No. 26991/R4-2/2017, dt: 11.01.2018 |
| 5 | Appeal orders of DM&G Pro. No. 26990/R4-1/2017, dt: 11.01.2018 |
| 6 | Appeal orders of DM&G Pro. No. 1865203/R4-1/2018, dt: 11.01.2018 |
| 7 | DDM&G, Kurnool Lr.No. 1444/Vg-Quartz/2019, Dt: 01.06.2019. |
| 8 | DDM&G, Kurnool Lr.No. 4634/Vg-Quartz/2019, Dt: 26.02.2020 |
| 9 | G.O.Rt. No. 169, Ind. & Com (Vigilance) Dept., dt:21.08.2020. |

GOPAL KRISHNA DWIVEDI
PRINICIPAL SECRETARY TO GOVERNMENT

**ANNEXURE-IV**

**List of Witnesses in support of Article of Charges:**

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|---|---|
| 1. | Sri T. Rajasekhar, DDM&G, Kurnool. |
| 2. | Sri M. Rama Siva Reddy, ADM&G, Kurnool. |
| 3. | Sri V. Ravichand, DDM&G, MERIT, O/o DM&G, Ibrahimpatnam. |
| 4. | Dr. R. Pratap Reddy, AG, O/o DM&G, Ibrahimpatnam. |
| 5. | Sri G. Sreenivasulu, the then R.I, O/o ADM&G, Kurnool |
| 6 | Smt M. Mercy Bhagyavalli, Surveyor, O/o ADM&G, Kurnool. |

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PRINICIPAL SECRETARY TO GOVERNMENT